

UNITED STATES DISTRICT COURT

for the
District of South Carolina

In the Matter of the Search of
*(Briefly describe the property to be searched
 or identify the person by name and address)*
 81 Blue Heron Ln. E
 Hardeeville, SC 29927

Case No. 2:21-cr-601

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:
 See Attachment A

located in the _____ Judicial _____ District of _____ South Carolina _____, there is now concealed *(identify the person or describe the property to be seized)*:
 See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

| <i>Code Section</i> | <i>Offense Description</i> |
|--------------------------|--|
| 18 U.S.C. § 922(a)(1)(A) | Dealing in firearms without a license |
| 18 U.S.C. § 922(g)(3) | Unlawful user of a controlled substance |
| 18 U.S.C. § 922(a)(6) | Making a false statement in connection with a firearm purchase |

The application is based on these facts:
 See attached Affidavit

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days *(give exact ending date if more than 30 days)*: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

ROBERT CALLAHAN Digitally signed by ROBERT CALLAHAN
Date: 2021.08.23 11:09:33 -04'00'

Applicant's signature

Robert E. Callahan, V, S/A ATF

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
 telephone or other reliable electronic means *(specify reliable electronic means)*.

Date: 08/23/2021

City and state: Charleston, South Carolina



Mary Gordon Baker
Judge's signature

Mary Gordon Baker, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

IN THE MATTER OF THE SEARCH OF

81 Blue Heron Ln. E
Hardeeville, SC 29927

Case No. 2:21-cr-601

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Robert E. Callahan, V., being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant to search a residence utilized by Edwin Carl HAMILTON (“HAMILTON”), located at 81 Blue Heron Ln. E, Hardeeville, SC 29927 for firearms, firearms components and any other evidence of the illegal acquisition and dissemination of firearms.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since 2009. I have a Bachelor of Science degree in Criminal Justice received from the University of South Carolina. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy. I received specialized training in various firearm offenses to include the illegal possession of firearms, firearms trafficking, straw purchasing of firearms and dealing in firearms without a license, among others. As such, I am vested with the authority to investigate violations of federal law. I am currently assigned to the ATF Charleston Field Office and have the responsibility for investigating a myriad of criminal offenses to include violations of Title 18 and Title 21 of the United States Code.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, officers, and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. The ATF is conducting a criminal investigation involving HAMILTON engaging in the business of dealing firearms without a license. The investigation involves criminal violations, including, among others, 18 U.S.C. § 922(a)(1)(A) (Dealing in firearms without a license), 18 U.S.C. § 922(a)(6) (Making a false statement in connection with a firearm purchase), 18 U.S.C. § 922(g)(3) (Unlawful user of a controlled substance in possession of a firearm), 18 U.S.C. § 371 (Conspiracy) and 18 U.S.C. § 2 (Aiding and abetting).

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that HAMILTON committed violations of the above-listed statutes and there is probable cause to believe that the residence as described in Attachment A contains evidence of the aforementioned violations. Therefore, probable cause exists to search the residence as described in Attachment A for evidence of these violations, as described in Attachment B.

PROBABLE CAUSE

6. In or about July of 2015, I received information from Jasper County Sheriff's Office Chief Deputy Jeff Crosby in reference to firearms sold by HAMILTON.¹ Chief Deputy Crosby indicated that during the course of one of their investigations, they recovered a firearm and entered the firearm into the e-Trace system. The firearm trace indicated that HAMILTON had purchased the firearm involved in their investigation. Chief Deputy Crosby indicated they interviewed

¹ In July 2015, Jeff Crosby was a Detective Sergeant in Investigations. He was named Chief Deputy in 2020.

HAMILTON and HAMILTON provided Chief Deputy Crosby with a folder that contained receipts and/or bill of sale forms for firearms that HAMILTON had sold. Chief Deputy Crosby was able to copy some of the paperwork, which he provided to me for review.

7. I observed a bill of sale indicating HAMILTON sold a Century Arms, model AKMS, 7.62x39 caliber rifle, bearing serial number KMS08121, to Jayni Lynn Cervantes on January 1, 2013. I obtained the ATF Form 4473 from Palmetto State Outfitters located in Ridgeland, SC for the Century Arms rifle and discovered the rifle was purchased by HAMILTON on May 8, 2012.

8. I observed a bill of sale indicating HAMILTON sold a Sig Sauer 556 caliber pistol, bearing serial number TQ000133, to Nicaya S. Murray on August 23, 2013. I obtained the ATF Form 4473 from Palmetto Indoor Range located in Hardeeville, SC for the Sig Sauer pistol and discovered the pistol was purchased by HAMILTON on October 17, 2012.

9. I observed a bill of sale indicating HAMILTON sold a Glock, model 34, 9mm pistol, bearing serial number WFD241, to William Mervin on July 9, 2014. I obtained the ATF Form 4473 from Palmetto State Outfitters for the Glock pistol and discovered the pistol was purchased by HAMILTON on January 2, 2014. This firearm was recovered by the Jasper County Sheriff's Office on September 14, 2014 during a shooting investigation.

10. I observed a bill of sale indicating HAMILTON sold an FN, model FNX, .45 caliber pistol, bearing serial number FX3U031166, to William Mervin on September 20, 2014 (Six days after the aforementioned Glock pistol was seized by the Jasper County Sheriff's Office). I obtained the ATF Form 4473 from Palmetto State Outfitters for the FNH pistol and discovered the pistol was purchased by HAMILTON on June 2, 2014.

11. I observed a bill of sale indicating HAMILTON sold a CAI, model Mini Draco, 7.62x39mm pistol, bearing serial number PD-6128-2014, to William Mervin on November 20,

2014. I obtained the ATF Form 4473 from Palmetto State Outfitters for the CAI pistol and discovered the pistol was purchased by HAMILTON on the same day, November 20, 2014. HAMILTON spent a total of \$547.97 on the firearm, accessories, and transfer fees. The bill of sale indicated HAMILTON sold the firearm to Mervin for \$600.00.

12. I observed a bill of sale indicating HAMILTON sold a CAI, model Mini Draco, 7.62x39mm pistol, bearing serial number PMD-01687-14RO, to Calvin Rivers on April 1, 2015. I obtained the ATF Form 4473 from Palmetto State Outfitters for the CAI pistol and discovered the pistol was purchased by HAMILTON two (2) days prior on March 30, 2015. HAMILTON spent a total of \$589.97 on the firearm, accessories, shipping, and transfer fees. The bill of sale indicated HAMILTON sold the firearm to Rivers for \$600.00. This firearm was recovered by the Jasper County Sheriff's Office on June 8, 2015.

13. After reviewing the bill of sales, I queried HAMILTON in e-Trace and discovered HAMILTON had conducted approximately two (2) multiple sales of handguns and approximately three (3) firearms purchased by HAMILTON had been recovered by law enforcement and entered into e-Trace.

14. I queried HAMILTON in the ATF case management system and discovered a case had been opened in June of 2009 in reference to a possible firearm trafficking lead involving one of the aforementioned firearms purchased by HAMILTON having been used in a shooting (ATF case 763010-09-0081). On July 31, 2009, HAMILTON was interviewed by ATF in reference to the firearm he purchased, and HAMILTON stated the firearm was stolen from his vehicle and that he filed a report with the Hardeeville Police Department. The case was subsequently closed with no judicial action.

15. I discovered another case that had been opened in August of 2015, in which a female was stopped attempting to enter Mexico via Nogales, AZ with 16 firearms concealed throughout the vehicle she was operating (ATF case 162050-15-0001). One of the firearms, an FNH 5.7x28mm pistol, bearing serial number 386234828, was purchased by HAMILTON on August 6, 2012 from Palmetto State Outfitters. The female indicated she was instructed to drive the vehicle from California to Mexico.

16. In April 2017, a cooperating defendant (CD) was interviewed by DEA pursuant to a proffer agreement (DEA case G7-13-0022). During the interview, the CD was asked about the firearms recovered during a search warrant and the CD indicated that three (3) of the firearms were purchased by HAMILTON for the CD. A review of federal firearms licensee records confirmed that three (3) of the recovered firearms were originally purchased by HAMILTON: (1) On February 19, 2014, HAMILTON purchased an FN, model SCAR 17S, .308 caliber rifle, bearing serial number HC35784; (2) On November 11, 2014, HAMILTON purchased a Kel-Tec, model PLR16, 5.56 caliber pistol, bearing serial number PA334; and (3) On January 22, 2015, HAMILTON purchased a PSA, model OEF15, multi caliber pistol, bearing serial number AFGHAN00897. The CD also stated that on two (2) occasions, he/she and an associate travelled to California with approximately 10-15 firearms each time and that most of the firearms were traded for cocaine and a few firearms were sold for money.

17. In May 2020, I was informed by ATF Task Force Officer (TFO) Dylan Hightower that HAMILTON may be associated with and providing firearms to suspects in an ongoing DEA investigation. I queried HAMILTON in e-Trace and discovered a large increase in both multiple sale purchases and firearm recoveries by law enforcement since the previous queries in and around 2015. I discovered HAMILTON had conducted approximately twenty (20) multiple sales with

approximately eighteen (18) firearms being recovered and/or traced by law enforcement. Based on the e-Trace results it appeared that HAMILTON was purchasing most of the firearms from Palmetto State Armory. I contacted Palmetto State Armory and requested all 4473s completed by HAMILTON and requested that I be notified by employees if HAMILTON attempted to purchase any more firearms. The aforementioned e-Trace query revealed the following:

18. On March 14, 2019, the Merced Police Department, located in California, recovered a Radical Firearms, model RIP, multi caliber pistol, bearing serial number RIP5263. This firearm was purchased by HAMILTON on January 19, 2016 at Palmetto State Armory.

19. On January 16, 2020, the Beaufort Police Department recovered a Ruger LCPII, .380 caliber pistol, bearing serial number 380325434. This firearm was purchased by HAMILTON on September 14, 2019 at Palmetto State Armory.

20. On February 10, 2020, the Jasper County Sheriff's Office recovered a Ruger LCP, .380 caliber pistol, bearing serial number 372213228. This firearm was purchased by HAMILTON on October 8, 2019 from Palmetto State Armory.

21. On May 13, 2020, the Brookhaven Police Department, located in Georgia, recovered two (2) FN 5.7x28mm pistols, bearing serial numbers 386350984 and 386375519. One of the occupants of the vehicle was Cruz J. Romero Romero. Romero Romero was subsequently arrested by the Brookhaven Police Department. Both firearms were purchased by HAMILTON from Palmetto State Armory, one on December 30, 2019 and the other on January 23, 2020. I was provided a copy of a bill of sale that was obtained by the DEA during an investigation in the Hardeeville area. The bill of sale indicated that on January 31, 2020, HAMILTON sold the aforementioned FN 5.7x28mm pistol, bearing serial number 386375519 to Romero Romero.

22. I was informed by HSI SA Brian Robinson on the DEA Task Force that on May 20, 2020, they executed a search warrant at a “stash house” they believe was associated with Romero Romero and that five (5) firearms were seized. I entered the firearms into e-Trace and discovered that four (4) of the firearms had been purchased by HAMILTON during three (3) separate transactions: (1) On August 28, 2019 HAMILTON purchased a Romarm model WASR-10UF, 7.62x39mm rifle, bearing serial number UF-2520-18; (2) On November 26, 2019 HAMILTON purchased a PSA model PSAK-47, 7.62x39mm rifle, bearing serial number AKB007335 and a PSA model PSAK-47, 7.62x39mm rifle, bearing serial number AK007599; (3) On or about February 13, 2020 HAMILTON purchased a Brigade 9mm pistol, bearing serial number 1942-F. These firearms were purchased from Palmetto State Armory and Top Dollar Pawn Shop.

23. On October 13, 2020, the Beaufort County Sheriff’s Office seized an FN, model 509, 9mm pistol, bearing serial number GKS0052423. This firearm was purchased by HAMILTON on August 21, 2019 from Palmetto State Armory.

24. On or about March 3, 2021, a UTAS, model XTR-12, 12ga shotgun, bearing serial number XTR00042 was recovered in Richmond, CA. This firearm was purchased by HAMILTON on June 14, 2016 from Palmetto State Armory.

25. On May 11, 2021, the Atlanta Police Department seized a GSG, model GSG522, .22 caliber rifle, bearing serial number A702096, a Pioneer Arms, model Hellpup, 7.62x39mm pistol, bearing serial number PAC1126779, and a CMMG, model MK57, 5.7x28mm pistol, bearing serial number BFT03244, among several other firearms. The GSG .22 caliber rifle was purchased by HAMILTON on October 10, 2017. The Pioneer Arms 7.62x39mm pistol was purchased by HAMILTON on or about July 8, 2019. The CMMG 5.7x28mm pistol was purchased by

HAMILTON on or about February 21, 2020. These firearms were purchased from Palmetto State Armory and Top Dollar Pawn Shop.

26. On July 22, 2021, I, along with TFO Hightower, interviewed HAMILTON at his residence, 81 Blue Heron Ln. E, Hardeeville, SC 29927. I informed HAMILTON that investigators wished to speak with him about the volume of firearms he had purchased over the last couple years and HAMILTON stated that he expected law enforcement to come and speak with him. HAMILTON stated that most of the firearms he purchased were for the purpose of re-selling them for a profit. When asked to whom he sold the firearms, HAMILTON stated over the last several years, he primarily purchased firearms for Romero Romero and Eleazin Rauda Landeros, who is an associate of Romero Romero. HAMILTON stated he did not take orders but instead purchased, mostly via his credit card, the firearms that he liked in case he could not sell them. HAMILTON then stated that within a couple days, he would meet up with Landeros and/or Romero Romero and sell the firearms. HAMILTON stated he charged them approximately \$1,800.00 per firearm, often resulting in a 100% profit margin. HAMILTON stated he only exchanged firearms for money, but that on occasion, Landeros and Romero Romero did offer him cocaine and/or heroin for the firearms in lieu of money, which he declined. HAMILTON stated he often completed a bill of sale for his firearm transactions. HAMILTON stated sometimes the bill of sale was fabricated because the listed purchaser was not the actual person to whom he sold the firearms. HAMILTON also stated he provided Landeros two (2) bill of sale forms in which the purchaser information was left blank so that Landeros could fill in the information with whomever he wanted to list as the "purchaser." HAMILTON stated he uses marijuana but is not involved in selling controlled substances. HAMILTON stated he has a few personal firearms that are for protection and not for sale.

27. I requested Industry Operations Investigator (IOI) Joshua Keeney query the Federal Licensing System to determine if HAMILTON possesses any type of federal firearms license and IOI Keeney advised HAMILTON does not possess any licenses in the Federal Licensing System.

28. Investigators contacted various federal firearm licensees (FFL) that HAMILTON was known to purchase firearms from and obtained copies of ATF Form 4473s completed by HAMILTON and sales receipts. From those records, HAMILTON has purchased approximately one-hundred and twenty-three (123) firearms since 2009 and that approximately twenty-two (22) of them have been recovered and entered into e-Trace by law enforcement.

29. The address of record for HAMILTON in the South Carolina Department of Motor Vehicles, the address reported by HAMILTON on the most recent ATF Form 4473s and the address reported by HAMILTON on the most recent bill of sales is 81 Blue Heron Ln. E, Hardeeville, SC 29927.² An online search of Jasper County property records for 81 Blue Heron Ln. E, lists, “Roberson Peggy N” as the owner. Investigators have also interviewed HAMILTON as recently as July 22, 2021 at 81 Blue Heron Ln. E, Hardeeville, SC 29927.

30. As outlined earlier, the facts contained in this affidavit are of my own personal knowledge as well as facts relayed to me by other law enforcement officers and official custodians of record.

31. I am aware individuals that possess and resell firearms generally maintain the firearms and firearm components on their person, in their residence, in their vehicles, or in places that are readily accessible, and under their physical control, to include secure locations such as safes and locked containers.

² Some of the listed addresses do not include the “E” designation.

32. I am aware individuals involved in illegally acquiring and disseminating firearms often maintain in their residence, records of firearms transactions, receipts or other documentation from the ordering, purchase or sale of firearms, to include but not limited to, transaction records, empty firearms boxes and manuals or other evidentiary items that are often maintained for months or years at a time.

33. I am aware individuals involved in illegally acquiring and disseminating firearms often utilize mobile telephones and other electronic devices to communicate with customers, receive orders, make purchases and to arrange for dissemination of the firearms. Often times, photographs are taken of the firearms and these photographs are maintained on mobile telephones and other electronic devices.

34. HAMILTON stated that he is currently in possession of firearms and indicated that he uses marijuana which would prohibit him from possessing firearms and/or ammunition under federal law. I am aware that HAMILTON purchased a large quantity of firearms and that not all of the firearms are known to have been recovered and/or entered into e-Trace by law enforcement. I know that HAMILTON maintains records of his firearm transactions in the form of bill of sales and that the forms could aid investigators in identifying other associates and/or co-conspirators of HAMILTON.

CONCLUSION

35. I submit that this affidavit supports probable cause for a search warrant authorizing the search of the residence described in Attachment A to seek the items described in Attachment B.

This affidavit has been reviewed by SAUSA Carra Henderson.

Respectfully submitted,

ROBERT CALLAHAN Digitally signed by ROBERT CALLAHAN
Date: 2021.08.23 11:30:43 -04'00'

Robert E. Callahan, V., Special Agent
Bureau of Alcohol, Tobacco, Firearms &
Explosives

SWORN TO ME VIA TELEPHONE OR
OTHER RELIABLE ELECTRONIC MEANS
AND SIGNED BY ME PURSUANT TO
FED. R. CRIM. P. 4.1 AND 4(d) OR 42(d)(3)
AS APPLICABLE

on August 23, 2021



HON. MARY GORDON BAKER
UNITED STATES MAGISTRATE JUDGE